



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,426	03/18/2004	Kyoung Soo Moon	2080-3237	7236
35884 7590 10/06/2008 LEE, HONG, DEGERMAN, KANG & WAIMEY 660 S. FIGUEROA STREET Suite 2300 LOS ANGELES, CA 90017				
EXAMINER				
TEKLE, DANIEL T				
ART UNIT		PAPER NUMBER		
2621				
MAIL DATE		DELIVERY MODE		
10/06/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/804,426

Applicant(s)

MOON, KYOUNG SOO

Examiner

DANIEL TEKLE

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 06, 2008 has been entered.

Response to Argument

Applicant's arguments with respect to claim 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

.The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Knudson et al. (US 2005/0273819).

Regarding Claim 1: Knudson et al. disclose a method for detecting an overlap of scheduled recording times, the method comprising: determining that there exists a first broadcasting program scheduled to record on a first channel and a second broadcasting program scheduled to record on a second channel (**fig. 13**); correcting a scheduled

recording time of at least the first broadcasting program or the second broadcasting program according to time correction data corresponding to a time difference between the first channel and the second channel (paragraph 0082); determining that the scheduled recording times of the first broadcasting program and the second broadcasting overlap **(paragraph 0081)**; and reporting information on the overlap **(paragraph 0081)**.

Regarding Claim 2: Knudson et al. disclose a method according to claim 1, further comprising, calculating the time correction data **(paragraph 0082)**.

Regarding Claim 3: Knudson et al. disclose a method according to claim 2, wherein calculating the time correction data comprises: setting, as a reference time, a base time provided from a reference channel tuned first upon power up (paragraph 0081); obtaining base times provided from channels other than the reference channel **(0082)**; and calculating the time correction data using the reference time and the base times **(paragraph 0082)**.

Regarding Claim 4: Knudson et al. disclose a method according to claim 3, wherein calculating the time correction data further comprises: mapping the calculated time correction data to corresponding channels in one-to-one mapping and storing the mapped time correction data **(paragraph 0080)**.

Regarding Claim 5: Knudson et al. disclose a method according to claim 3, wherein the reference channel is set in default by a user **(paragraph 0082)**.

Regarding Claim 6: Knudson et al. disclose a method according to claim 3, wherein calculating the time correction data further comprises: storing the set reference time and the base times (**paragraph 0080**).

Regarding Claim 7: Knudson et al. disclose a method according to claim 3, wherein the calculated time correction data comprises time differences between the reference time and the base times (**paragraph 0081**).

Regarding Claim 8: Knudson et al. disclose a method according to claim 1, wherein the scheduled recording times comprise a record start time and a record end time (**paragraph 0081**).

Regarding Claim 9: Knudson et al. disclose a method according to claim 1, wherein correcting the scheduled recording time comprises the steps of: reading the time correction data corresponding to the first channel and second channel(**paragraph 0080**); and adding the read time correction data to the scheduled recording times of at least first broadcasting program or second broadcasting program(**paragraph 0081-0082**).

Regarding Claim 10: Knudson et al. disclose a method according to claim 1, wherein the information on the overlap is reported in the form of message or voice (**paragraph 0082**).

Regarding Claim 11: Claim 11 is rejected for the same subject matter as claims 1 and 2.

Regarding Claim 12-15: Claims 12-15 are rejected for the same subject matter as claims 3, 5, 7 and 9 respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL TEKLE whose telephone number is (571)270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other Friday..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/
Supervisory Patent Examiner, Art Unit 2621
/Daniel Tekle/
Examiner, Art Unit 2621

